

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**



RULE 63 (37 CFR § 1.63)

DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am an original, first and joint inventor, together with John C. Van Doren, Richard Magill, Bruce Sellers, Tim Erickson, Scott Schneider, Steve Courington, or Lance Bethel, of the subject matter which is claimed and for which a patent is sought on the invention entitled "A PROCESS AND APPARATUS FOR IMPROVING AND CONTROLLING THE VULCANIZATION OF NATURAL AND SYNTHETIC RUBBER COMPOUNDS", the specification of which has been prepared and filed on September 18, 2003, receiving Serial No. 10/666,433, and further identified as Attorney File No. 3944-13-CIP.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability in accordance with 37 CFR 1.56(a) and (b) as set forth on the attached sheet indicated Page 3 hereof and which I have read.

I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) <u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	Priority Claimed <u>Yes</u> <u>No</u>
None			

I hereby claim the benefit under 35 U.S.C. 120/365 of all United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information material to patentability in accordance with 37 CFR 1.56(a) and (b) which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
10/267,197	October 8, 2002	Pending
60/394,736	July 9, 2002	Expired
09/815,342	March 21, 2001	Abandoned
10/102,614	March 19, 2002	Pending
60/278,034	March 21, 2001	Expired

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Twin Oak Sales

303 638-9059

21 2/5/04

7:57 AM

1/1

02/04/2004 17:38 CHERRY CREEK VENTURE PARTNERS → 3038380612
 02/04/2004 16:56 FAX 3038830223 SHERIDAN BOSS

NO. 924
 003

(1) Inventor's Signature

Date

2/5/04

Inventor's Name (typed):

John C. Van Doren

Citizenship:

U.S.

Residence:

193 Twilight Terrace
Bailey, Colorado 80421

Post Office Address*:

Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

(2) Inventor's Signature

Date

2/10/04

Inventor's Name (typed):

Richard Magill

Citizenship:

U.S.

Residence:

2875 Dharma Avenue
Broomfield, Colorado 80020

Post Office Address*:

Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

(3) Inventor's Signature

Date

2/9/04

Inventor's Name (typed):

Bruce Sellers

Citizenship:

U.S.

Residence:

2104 Jackson Street
Golden, Colorado 80401

Post Office Address*:

Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

(4) Inventor's Signature T.E. Date 2/10/04

Inventor's Name (typed): Tim Erickson

Citizenship: U.S.A.

Residence: 7766 S. Saulsbury Street
Littleton, Colorado 80128

Post Office Address*: Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

(5) Inventor's Signature Scott Schneider Date 2-6-04

Inventor's Name (typed): Scott Schneider

Citizenship: U.S.A.

Residence: 2314 W. Costilla Avenue
Littleton, Colorado 80120

Post Office Address*: Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

(6) Inventor's Signature Steve Courington Date 2-6-04

Inventor's Name (typed): Steve Courington

Citizenship: U.S.A.

Residence: 9821 Cypress Point Circle
Lone Tree, Colorado 80124

Post Office Address*: Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

02/04/2004 16:55 FAX 3038630223

SHERIDAN ROSS

 005(7) Inventor's Signature Date 02/26/04

Inventor's Name (typed): Lance Bethel

Citizenship: U.S.A.

Residence: 11182 Chase Way
Westminster, Colorado 80020

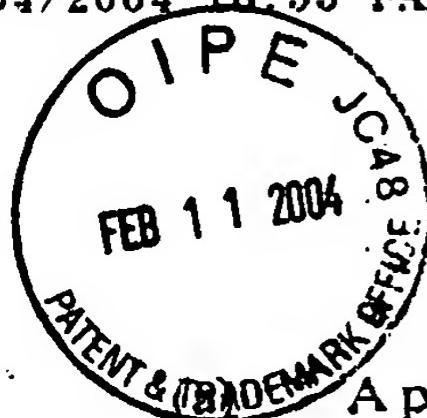
Post Office Address*: Same as Residence

*Complete Post Office Address in full if different from Residence, otherwise indicate that the Post Office Address is "Same as Residence."

02/04/2004 16:55 FAX 3038630223

SHERIDAN ROSS

4006



37 CFR §1.56(a) and (b)
DUTY TO DISCLOSE INFORMATION MATERIAL
TO PATENTABILITY

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of a patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.*

*Note, 37 CFR §1.97(h) states: "The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b)."